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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Charisius et al.

Group Art Unit: 2178

Application No: 09/944,696

Examiner: Stork, Kyle R

Filed: 08/31/2001

For: **METHODS AND SYSTEMS FOR ANIMATING A WORKFLOW AND A PROJECT PLAN**

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Sir:

Claims 3-10, 13-15, 28, 38, and 41 are patentable over Boden et al. (U.S. 5,930,512, hereafter Boden) in further view of Nauckhoff (U.S. 5,893,128) and in further view of Microsoft® Word 2000.

In the 28 February 2006 Examiner's answer to the appeal brief filed 2 December 2005, the Examiner states that the appellant argues that Microsoft® Word 2000 (hereafter word) fails to display a frequency of change in edit history. However, the Examiner is missing the point in the appellant's argument pertaining to the step of displaying versions of a plan in a visually distinct manner as a function of frequency of change in edit history.

The term "function of frequency" is a limiting term that the Examiner fails to address. A function of frequency is a mathematical correspondence that assigns a value to a variable as a function of frequency. Please see definition 5 of Merriam Webster's online dictionary. Mathematical correspondence called for by the term "function of frequency" is inherent in the present invention as it displays portions of a plan in a visually distinctive manner as a

function of frequency of edit change. For example, areas of a plan that undergo the most change may be made visually distinct (e.g., red or bolded or tagged with a number associated with the frequency of changes). The above narrow example is given in support of the definition of the term “function of frequency” as called for in the independent claims of the present application. Please see paragraph [0186] of the application.

There is no teaching or suggestion in Microsoft Word that would lead one skilled in the art to display versions of a plan in a visually distinct manner as a function of frequency of change in edit history. In other words, Microsoft Word does not provide a method for displaying an edit as a function of frequency of changes. Microsoft Word only highlights edits made to a document version by recording the date and time the version was saved along with the name of the person making the changes. In order to determine the frequency of edits, a user of Microsoft Word will necessarily be burdened with extra steps involving counting the number of edits made over time. Moreover, this user-derived frequency of edits will not be available to the next user. Therefore, the next user will be burdened with repeating a derivation of edit frequency.

In contrast, the present invention displays portions of a plan in a visually distinctive manner as a function of frequency of edit change. Moreover, there is no suggestion, teaching or motivation for combining Boden and Nauckhoff with Microsoft Word to come up with the present invention method of displaying portions of a plan in a visually distinctive manner as a function of frequency of change of the edits. In addition, the references cited but not applied, alone or in combination fail to contain any teaching or suggestion of methods and systems of the present invention method that displays portions of a plan in a visually distinctive manner as a function of frequency of change of the edits.

Claims 11, 16, 30, 39, and 42 are patentable over Boden, Nauckhoff, and Word and in view of Is (2000, found on page 7, line 2).

The Examiner's answer still makes no clear explanation as to how the Is references's programmer-level explanation of the parameters of an undefined code in an unexplained environment has anything to do with applicant's invention. Instead, the Examiner states that a combination of Boden, Nauckhoff, and Word's method of displaying versions with Is's method for reversing order would allow a user to view the plan in an alternate order. Appellant's counsel respectfully disagrees. Is's method for reversing only displays the names of files and directories in an alternate fashion and is unsuitable for displaying the versions of the workflow in reverse order. Therefore, the motivation to combine the references required to sustain an obviousness rejection is absent. As a result, Appellant's counsel respectfully request that the rejections of claims 11, 16, 30, 39, and 42 be reversed.

Claims 12, 17, 40, and 43 are patentable over Boden, Nauckhoff, and Word and further in view of Kumashiro (US 6240395, patent 2001, file 1998).

The Examiner's answer states that edits to Gantt charts or flow diagrams are not included in the claims. However, such edits fall within the limitations of the independent claims because they call for the display of portions of a plan in a visually distinctive manner as a function of frequency of edit change. Therefore, Applicants respectfully request that the rejections of claims 12, 17, 40, and 43 be reversed.

Claim 29 is patentable over Boden, Nauckhoff, and Word in further view of Garofalakis et al.

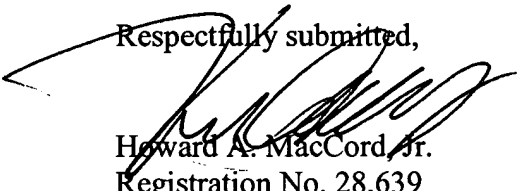
Claim 29 calls for the displaying of the plans to be visually distinctive as a function of frequency of the change in the plans. The Examiner's answer does not address Garofalakis's

failure to disclose the mathematical correspondence called for by the term "function of frequency" as it applies to claim 29. Moreover, there is no suggestion, teaching or motivation for combining Boden, Nauckhoff and Microsoft Word with Garofalakis to come up with the present invention method of displaying portions of a plan in a visually distinctive manner as a function of frequency of change of the edits. In addition, the references cited but not applied, alone or in combination fail to contain any teaching or suggestion of methods and systems of the present invention method that displays portions of a plan in a visually distinctive manner as a function of frequency of change of the edits. As a result, Applicants respectfully request that the rejection of claim 29 be reversed.

Conclusion

The Examiner's rejections of Claims 3-17, 28-31, and 38-44 should be reversed.

Respectfully submitted,


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Date: 26 April 2006
File No.: 7309-026

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